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Docket No.: PF-0484 US

GP-1645
BOX SEQ.

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Assistant Commissioner for Patents, Washington, D.C. 20231 on February 19, 1999

By: NANCY L. GLYNN *Nancy L. Glynn*

Printed: Nancy Glynn

FEB 25 1999

GROUP 1800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: HILLMAN et al.

Title: **KINESIN LIGHT CHAIN HOMOLOG**

Serial No.: 09/036,614

Filing Date:

March 6, 1998

Examiner: S. Gucker

Group Art Unit:

1645

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Restriction Requirement mailed December 2, 1998, in the above-referenced application, the period of time for response having been extended until March 2, 1999, by the accompanying petition and fee.

Claims 1-21 were originally filed. In the Restriction Requirement, the Examiner requested Applicants to elect the claims corresponding to one of the following inventions:

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Group I (claims 1, 2, and 13), drawn to polypeptides and compositions thereof;
Group II (claims 3-12), drawn to polynucleotides, expression vectors, host cells, and a method of expressing the polynucleotides;

Group III (claim 14), drawn to an antibody;

Group IV (claim 15), drawn to an agonist;

Group V (claim 16), drawn to an antagonist;

Group VI (claims 17-19), drawn to methods of treating or preventing disorders; and

Group VII (claims 20-21), drawn to methods of detection of the polynucleotides.

In response to the restriction requirement, Applicants elect the claims of Group II (claims 3-12) with traverse. Applicants submit that the invention encompassed by the claims of Group II could be examined at the same time as the invention encompassed by the claims of Group VII. For example, a search of the prior art to determine the novelty of the polynucleotides would provide information regarding the novelty of the methods of use of the polynucleotides. Accordingly, because the searches required to identify prior art relevant to the claims of Groups II and VII would substantially overlap, Applicants respectfully submit that examination of originally filed claims 3-12, 20, and 21 would pose no undue burden. Thus, Applicants request reconsideration and withdrawal of the Restriction Requirement and examination of the claims in Groups II and VII.

Applicants believe that no fee is due with this communication. However, if the Commissioner determines that a fee is due, the Commissioner is hereby authorized to charge Incyte Pharmaceuticals, Inc. Deposit Account No. **09-0108**.

This form is enclosed in duplicate.

Respectfully submitted,

INCYTE PHARMACEUTICALS, INC.

Date: February 18, 1999

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